

To the Members of the California State Senate:

I am signing Senate Bill 1486, which would enact the Otay Mesa East Toll Facility Act, authorizing the San Diego Association of Governments (SANDAG) to solicit and accept grants of funds, issue bonds for land acquisition and road construction, impose tolls and user fees for use of the roadways, and enter into contracts and agreements for the purpose of establishing highway toll projects to facilitate the movement of goods and people from the existing highway system to a new third port of entry facility in San Diego County. However, I have substantial concerns with this bill. I am signing this bill in order to prevent any unnecessary delays in moving forward on this project, but it is with the expectation that SANDAG and the San Diego delegation will work with my Administration to develop and enact cleanup legislation.

This bill could result in significant costs to the state should toll revenues be insufficient to reimburse the state for maintenance, operation, and rehabilitation costs associated with the toll road. Since SANDAG would be in control of the tolls under this bill, cleanup legislation is needed to specify that tolls must be set at a rate sufficient to pay these costs and that the facilities cannot be constructed until there is a contract in place ensuring that the state's costs are covered. A facility for California Highway Patrol (CHP) safety inspections may be needed to avoid what would otherwise be a bottleneck that would substantially impair the toll road's time savings and jeopardize toll revenues. The legislation should specify how the costs of a CHP safety inspection facility will be funded, if it is determined that a new facility is necessary.

Sincerely,

Arnold Schwarzenegger